



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,884	11/26/2003	Henri Kamdem	11016-0024	5997

22902 7590 07/12/2005

CLARK & BRODY
1090 VERMONT AVENUE, NW
SUITE 250
WASHINGTON, DC 20005

EXAMINER

BINDA, GREGORY JOHN

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,884

Applicant(s)

KAMDEM ET AL.

Examiner

Greg Binda

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 3, 4, 7, 8 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 9, 11-13 and 15 is/are rejected.
- 7) ☒ Claim(s) 6 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3679

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Election/Restrictions

2. Claims 3, 4, 7, 8 & 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election of Species I shown in Figs. 2-6 was made **without** traverse in the reply filed on Feb 11, 2005.

Response to Amendment

3. The amendment filed June 13, 2005 is objected to because in the claim listing provided therein, the status identifiers of the withdrawn claims fail to identify them as withdrawn.

Drawings

4. The replacement drawings filed June 13, 2005 are objected to because:

- a. Figs. 1 should be labeled as prior art.
- b. An inappropriate cross hatch pattern is used to depict rubber ring 2. See MPEP § 608.02 for the appropriate pattern.
- c. Reference numeral 2 is used to identify a ring in Fig. 2a, and reused to identify a modified ring in Fig. 2b and then reused again to identify a further modified ring in Fig. 11. Such usage is proscribed. See MPEP § 608.02(e)

- d. In Fig. 2a the lead line for reference character 22a points to the face 41 of the rim 4, not the perpendicular side flanks recited in claim 9.
- e. In Fig. 2b the lead line for reference character 22b points to the face 41 of the rim 4, not the side flanks of the projections 20e, 20i recited in claim 10.
- f. In Fig. 5 the reference character 2 should be changed to 2a. See page 7, line 30.

Specification

- 5. The disclosure is objected to because:
 - a. Page 1, lines 23 & 24 have been amended to include "patent EP presents". There is no way to determine the identity of the patent to which the specification is referring.
 - b. Page 1, line 31, the word "adds" is misspelled
 - c. Page 2, line 1, includes the nonsensical phrase "force-fitting th ins rts leads to stresses in th parts".
 - d. Page 2, line 2, the word "be" is misspelled.
 - e. Page 2, line 31; page 6, lines 1 & 2; page 7, lines 31 & 32; and page 8, line 2, the word "the" is misspelled.
 - f. Page 2, line 32, the word "least" is misspelled.
 - g. Page 3, line 1 includes the nonsensical term "th protuberance-fre"
 - h. Page 4, line 1 includes the nonsensical term "xert sh ar stresses over th"
 - i. The brief description of the drawings fails to describe Fig. 11.
 - j. Page 5, line 1, the word "exploded" is misspelled.
 - k. Page 5, line 31, the word "meshes" is misspelled.

Art Unit: 3679

- l. Page 5, line 31, the word “comprising” is misspelled.
- m. Page 5, line 32, the word “complementary” is misspelled.
- n. Page 6, line 16 has been amended to include the nonsensical phrase, “projections 20e' that has hyperbolic or curved shape.”
- o. Page 6, line 28, the projections on the ring 2 are identified by the wrong reference characters.
- p. Page 6, line 28, includes the nonsensical phrase “the ratio of the angles at the center intercepting two projections 21e and 21i on respective faces (α_2/x_1)”
- q. Page 6, line 31, the word “projections” is misspelled.
- r. Page 6; line 31 includes the nonsensical phrase “th shear rev isible wh n”
- s. Page 7, line 1 includes the nonsensical phrase “Th xploded vi w of Figure 3 and th s ction”
- t. Page 7, line 2 includes the nonsensical phrase “driv d vice 10 for a motor v hicl”
- u. Page 7, line 31, the word “opening” is misspelled.
- v. Page 7, line 31, the word “easier” is misspelled.
- w. Page 7, line 32 includes the nonsensical phrase “open d out”
- x. Page 7, line 31, the word “enabling” is misspelled.
- y. Page 8, line 1, the word “while” is misspelled.
- z. Page 8, line 2, the word “compensated” is misspelled.
- aa. Page 10, line 5 has been amended to describe Fig. 11 as including reference characters 2', 3', 4', 22i' and 31i', but none of these reference characters appears in Fig. 11.

Art Unit: 3679

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter, “the ring is made by complete cutting [or] by extrusion followed by slicing” in claim 13.

Claim Objections

7. The claims are objected to as failing to comply with 37 CFR 1.75(i) because elements of the claims are not separated by line indentation.

8. Claims 1, 12 & 15 are objected to because:

- a. Line 7 in each of claims 1 & 15 includes the nonsensical phrase “of facing face of the support”
- b. Claim 12, line 1, the term “ring (2)” should be changed to “ring (2a)”.
- c. Claim 12, line 4 recites “parts”. Are these “parts” of the split ring 2a or something else?

Claim Rejections - 35 USC § 102

9. Claims 1, 5 & 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kryscyk, US 4,472,154. Fig. 2 shows a decoupling element 48 of deformable material (see also col. 3, line 28) comprising a central core (see “ring” in line 31) and abrupt radial projections 52 on at least one cylindrical face of the ring.

Art Unit: 3679

10. Claims 1, 2, 5, 9, 11, 13 & 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bugatti, US 2,235,605. Fig. 2 shows a decoupling element and two support combination, the decoupling element E made of deformable material (see also page 2, lines 48 & 49) interposed between two supports B & D. Fig. 2 shows the decoupling element E comprises a central core and abrupt radial projections on the opposite cylindrical faces of the ring meshed with complementary abrupt projections F & G on the facing faces of the supports.

11. Claims 1, 2, 5, 9, 11-13 & 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Olbrich, US 6,581,267. Fig. 5 shows a decoupling element and two support combination, the decoupling element 2 made of deformable material (see also col. 2, lines 50 & 51) interposed between two supports 1 & 3. Fig. 5 shows the decoupling element 2 comprises a central core and abrupt radial projections on the opposite cylindrical faces of the ring meshed with complementary abrupt projections on the facing faces of the supports 1 & 2. Fig. 4 shows the ring 2 is split to form an opening 5.

Allowable Subject Matter

12. Claims 6 & 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

13. Applicant's arguments filed June 13, 2005 have been fully considered but they are not persuasive.

- a. Applicant argues that many of the specification objections are “not found in the as-filed copy” of the specification and that a clean, but not substitute, copy of this “as-filed copy” is enclosed in the amendment. However, the only copy of the specification in the application file presents grounds for each objection. As such, the objections are valid.
- b. Applicant argues that Kryscyk fails to anticipate the claims because it allegedly shows the decoupling element 48 disposed in such a way that shear zones would not be created. The argument is unpersuasive because the rejected claims are directed to the decoupling element alone, not in combination with any other elements it might be disposed between. Therefore, in order for the reference to read on the claims, it need only show a decoupling element that possesses the internal structure which would provide it with the ability to experience shear zones if it were so disposed. Since it does, the rejection is valid.
- c. Applicant argues that Bugatti fails to anticipate the claims because the decoupling element E allegedly lacks abrupt radial projections when it is separated from the two supports B & D. The argument is unpersuasive. There is no limitation in the claims that requires the radial projections of the decoupling element to be present when the decoupling element is disassembled from the two supports.
- d. Applicant argues that Olbrich fails to anticipate the claims because Olbrich does not disclose the decoupling element transmitting torque. The argument is unpersuasive

Art Unit: 3679

because there is no requirement that prior art expressly disclose the decoupling element in use in the same manner the instant invention is disclosed. Rather the prior art need only show a decoupling element and a combination comprising all the limitations of the claims in order to anticipate those claims.

Conclusion

14. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

Art Unit: 3679

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Binda
Primary Examiner
Art Unit 3679